



# PUBLIC NOTICE

**Federal Communications Commission**  
**445 12<sup>th</sup> St., S.W.**  
**Washington, D.C. 20554**

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**DA 12-1528**  
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## **COMMENTS INVITED ON APPLICATION OF TELECOM\*USA, INC. TO DISCONTINUE DOMESTIC TELECOMMUNICATIONS SERVICES**

**WC Docket No. 12-263**  
**Comp. Pol. File No. 1051**

**Comments Due: October 9, 2012**

### **Section 214 Application** **Applicant: Telecom\*USA, Inc.**

On **August 31, 2012**, **Telecom\*USA, Inc.** (Telecom USA or Applicant), located at **One Verizon Way, Basking Ridge, NJ 07920**, filed an application with the Federal Communications Commission (FCC or Commission) requesting authority, under section 214 of the Communications Act of 1934, as amended, 47 U.S.C. § 214, and section 63.71 of the Commission's rules, 47 C.F.R. § 63.71, to discontinue certain domestic telecommunications services in Alabama, California, Florida, Georgia, Louisiana, North Carolina, Pennsylvania, South Carolina, Tennessee, Virginia, West Virginia and Wisconsin (collectively Service Areas).<sup>1</sup>

Telecom USA indicates that it currently provides presubscribed interexchange, toll-free and post-paid calling card services to approximately 26,000 customers nationwide. Telecom USA states that among these customers, fewer than 70 business customers (Affected Customers) currently have calling plans served by a billing platform in Greenville, SC that Telecom USA is planning on decommissioning. Telecom USA specifies that the calling plans that will be affected by the decommissioning of this billing platform include First Choice, IntelWats 1 with First Choice, Super Wats Plus, Line One, First Wats with Travel at Old I2, Line One with IW1 for DAL, First Wats with IW1 for DAL, 800 Anytime and Personal 800 (also known as Personal Hotline 800) (collectively, Affected Calling Plans). Telecom USA explains that the Affected Calling Plans feature the above mentioned presubscribed interexchange, toll-free and/or post-paid calling card services, and that Telecom USA does not offer the Affected Calling Plans through any of its other billing platforms. Consequently, Telecom USA indicates that it plans to cease providing services to the Affected Customers in the Service Areas when the Greenville, SC billing platform is decommissioned on or after November 1, 2012. Telecom USA maintains that it has made arrangements so that any of the Affected Customers outside of West Virginia that do not choose another provider will be placed on the MCI Business Value Basic calling plan. Telecom USA indicates that MCI Communications Services, Inc. is an affiliate of Telecom USA, and that customers that automatically transition to the MCI Business Value Basic calling plan can thus receive interexchange and toll-free

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<sup>1</sup> An officially filed copy of Telecom USA's application was subsequently received in the Competition Policy Division of the Wireline Competition Bureau on September 6, 2012.

service without interruption. According to Telecom USA, only three of the Affected Customers are located in West Virginia, and it only provides these customers with toll-free service. Telecom USA asserts that MCI does not offer comparable service in West Virginia, so Telecom USA has made arrangements for any Affected Customers in the state that do not choose another provider to be reassigned to another Telecom USA affiliate, Verizon Long Distance LLC. Telecom USA specifies that Verizon Long Distance LLC offers its FirmRate Plus calling plan which includes stand alone toll-free service. Telecom USA maintains that any Affected Customers that do not choose to receive interexchange and/or toll-free services from Telecom USA's affiliates will still have other options available from competing providers in the marketplace, and that other services like wireless, Voice over Internet Protocol and other newer technologies offer these functionalities and more. Telecom USA indicates that it has not arranged for any of the Affected Customers to receive post-paid calling card service from any of its affiliates, but that some providers like AT&T do still offer the service. Telecom USA further submits that pre-paid calling cards and wireless phones (both under pre-paid and monthly plans) have led to declines in demand for post-paid calling cards and are widely available as alternatives. Telecom USA represents that it sent notices to the Affected Customers by first class U.S. Mail on August 31, 2012 to inform them of its proposed termination of services. Telecom USA asserts that it is considered non-dominant with respect to the services to be discontinued.

In accordance with section 63.71(c) of the Commission's rules, Telecom USA's application will be deemed to be granted automatically on the 31st day after the release date of this public notice, unless the Commission notifies Telecom USA that the grant will not be automatically effective. In its application and notice to customers, Telecom USA indicates that it plans to cease providing services to the Affected Customers in the Service Areas on or after November 1, 2012, subject to Commission authorization. Accordingly, pursuant to section 63.71(c), absent further Commission action, Telecom USA may terminate its presubscribed interexchange, toll-free and post-paid calling card services as applicable in the Service Areas on or after **November 1, 2012**. The Commission normally will authorize proposed discontinuances of service unless it is shown that customers or other end users would be unable to receive service or a reasonable substitute from another carrier, or that the public convenience and necessity would be otherwise adversely affected.

Comments objecting to this application must be filed with the Commission on or before **October 9, 2012**. Such comments should refer to **WC Docket No. 12-263 and Comp. Pol. File No. 1051**. Comments should include specific information about the impact of this proposed discontinuance on the commenter, including any inability to acquire reasonable substitute service. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies. *See Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998). Comments may be filed electronically using the Internet by accessing the ECFS: <http://fjallfoss.fcc.gov/ecfs2/>. Filers should follow the instructions provided on the Web site for submitting comments. Generally, only one copy of an electronic submission must be filed. In completing the transmittal screen, filers should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number.

Parties who choose to file by paper must file an original and one copy of each filing. Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission. All hand-delivered or messenger-delivered paper filings for the Commission's Secretary must be delivered to FCC Headquarters at 445 12th Street, S.W., Room TW-A325, Washington, D.C. 20554. The filing hours are Monday through Friday, 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes and boxes must be disposed of before entering the building. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol

Heights, MD 20743. U.S. Postal Service first-class, Express, and Priority mail must be addressed to 445 12th Street, S.W., Washington, D.C. 20554.

Two copies of the comments should also be sent to the Competition Policy Division, Wireline Competition Bureau, Federal Communications Commission, 445 12th Street, S.W., Room 5-C140, Washington, D.C. 20554, Attention: Carmell Weathers. In addition, comments should be served upon the Applicant. Commenters are also requested to fax their comments to the FCC at (202) 418-1413, Attention: Carmell Weathers.

This proceeding is considered a “permit but disclose” proceeding for purposes of the Commission’s *ex parte* rules.<sup>2</sup> Persons making *ex parte* presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the *ex parte* presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter’s written comments, memoranda or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during *ex parte* meetings are deemed to be written *ex parte* presentations and must be filed consistent with rule 1.1206(b). In proceedings governed by rule 1.49(f) or for which the Commission has made available a method of electronic filing, written *ex parte* presentations and memoranda summarizing oral *ex parte* presentations, and all attachments thereto, must be filed through the electronic comment filing system available for that proceeding, and must be filed in their native format (*e.g.*, .doc, .xml, .ppt, searchable .pdf). Participants in this proceeding should familiarize themselves with the Commission’s *ex parte* rules.

People with Disabilities: To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an e-mail to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (tty).

For further information, contact Carmell Weathers, (202) 418-2325 (voice), [carmell.weathers@fcc.gov](mailto:carmell.weathers@fcc.gov), or Rodney McDonald, (202) 418-7513 (voice), [rodney.mcdonald@fcc.gov](mailto:rodney.mcdonald@fcc.gov), of the Competition Policy Division, Wireline Competition Bureau. The tty number is (202) 418-0484. For further information on procedures regarding section 214 please visit [http://www.fcc.gov/wcb/cpd/other\\_adjud](http://www.fcc.gov/wcb/cpd/other_adjud).

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<sup>2</sup> 47 C.F.R. §§ 1.1200 *et seq.*